

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANGEL RUIZ,
Plaintiff,
v.
JUNIOR FORTUNE, et al.,
Defendants.

Case No. 1:20-cv-01100-EPG (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR APPOINTMENT OF PRO BONO
COUNSEL, WITHOUT PREJUDICE

(ECF No. 17)

ORDER GRANTING PLAINTIFF'S MOTION
FOR EXTENSION OF TIME TO RESPOND
TO SCREENING ORDER

(ECF No. 18)

Angel Ruiz ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this action.

On November 4, 2020, Plaintiff filed a letter. (ECF No. 14). In the letter, Plaintiff stated that, due to the COVID-19 pandemic, he has not been able to successfully put together an amended response to the Court's screening order. Plaintiff asked for appointment of counsel because he has no help and lacks the legal knowledge to pursue this action.

The Court denied Plaintiff's motion for appointment pro bono counsel, but granted Plaintiff thirty days to respond to the screening order. (ECF No. 15).

On December 17, 2020, Plaintiff filed another motion for appointment of pro bono

1 counsel (ECF No. 17), and a motion for a sixty-day extension of time to respond to the screening
2 order (ECF No. 18).

3 When denying the previous motion for appointment of pro bono counsel, the Court told
4 Plaintiff that he could renew the motion “at a later stage of the proceedings.” (ECF No. 15, p. 2).
5 This is not a later stage of the proceeding. Moreover, there has not been any material change in
6 this case since Plaintiff’s last motion for appointment of pro bono counsel. Accordingly, for the
7 reasons stated in the Court’s prior order denying Plaintiff’s motion for appointment of pro bono
8 counsel (ECF No. 15), Plaintiff’s motion for appointment of pro bono counsel filed on December
9 17, 2020 (ECF No. 17), will be denied, without prejudice to Plaintiff renewing the motion at a
10 later stage of the proceedings.

11 As to Plaintiff’s motion for extension of time, Plaintiff alleges that he needs a sixty-day
12 extension because the present COVID-19 modified program/lockdown continues to significantly
13 limit access to the necessary documentation and resources. Additionally, assistance by fellow
14 inmates has been compromised, and Plaintiff is severely limited in his knowledge of the court
15 process. Finally, the revisions Plaintiff needs to make are significant.

16 The Court finds good cause to grant Plaintiff’s motion for an extension of time.

17 For the foregoing reasons, IT IS ORDERED that:

- 18 1. Plaintiff’s motion for appointment of pro bono counsel is DENIED without
19 prejudice; and
- 20 2. Plaintiff has sixty days from the date of service of this order to respond to the
21 screening order. If Plaintiff needs an additional extension of time, in his motion he
22 should attach his request for law library access and/or paging services, as well as
23 the institution’s response to his request.

24 IT IS SO ORDERED.

25 Dated: **December 18, 2020**

26 /s/ Eric P. Shoup
27 UNITED STATES MAGISTRATE JUDGE
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